

NO. 25153

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

HAWAII ELECTRIC LIGHT COMPANY, INC.,
a Hawai'i corporation, Appellant-Appellee

vs.

DEPARTMENT OF LAND AND NATURAL RESOURCES, STATE OF HAWAI'I;
BOARD OF LAND AND NATURAL RESOURCES, as the Executive Head
of the Department of Land and Natural Resources, State of
Hawai'i; DEPARTMENT OF HAWAIIAN HOME LANDS, STATE OF HAWAI'I;
WAIMANA ENTERPRISES, INC., a Hawai'i corporation,
Appellees-Appellees

and

PEGGY J. RATLIFF and MAHI COOPER, Appellees-Appellants

and

KEAHOLE DEFENSE COALITION, INC., a Hawai'i nonprofit
corporation, Intevenor-Appellant
(CIV. NO. 96-131K)

WAIMANA ENTERPRISES, INC., a Hawai'i corporation, Cross-Appellant

vs.

DEPARTMENT OF LAND AND NATURAL RESOURCES,
STATE OF HAWAI'I; et al., Cross-Appellees
(CIV. NO. 96-141K)

PEGGY RATLIFF, Cross-Appellant

vs.

DEPARTMENT OF LAND AND NATURAL RESOURCES,
STATE OF HAWAI'I; et al., Cross-Appellee
(CIV. NO. 96-142K)

MAHI COOPER, Cross-Appellant

vs.

DEPARTMENT OF LAND AND NATURAL RESOURCES,
STATE OF HAWAI'I; et al., Cross-Appellees
(CIV. NO. 96-143K)

HAWAII ELECTRIC LIGHT COMPANY, INC.,
a Hawai'i corporation, Plaintiff

vs.

PETER YOUNG,¹ in his capacity as Chairman of the Board of Land
and Natural Resources, State of Hawai'i; et al., Defendants

and

KEAHOLE DEFENSE COALITION and PEGGY RATLIFF, Intervenors
(CIV. NO. 96-144K)

APPEAL FROM THE THIRD CIRCUIT COURT
(CIV. NOS. 96-131K, 96-141K, 96-142K, 96-143K, and 96-144K)

ORDER GRANTING MOTION TO DISMISS APPEAL

(By: Moon, C.J., Levinson, Nakayama, and Acoba, JJ.
and Circuit Judge Hifo, in place of Duffy, J., recused)

Upon consideration of appellants' motion to dismiss
appeal, the papers in support and the record,

IT IS HEREBY ORDERED that the motion to dismiss appeal
is granted and this appeal is dismissed pursuant to HRAP 42(b).
The parties shall bear their own costs.

DATED: Honolulu, Hawai'i, April 12, 2004.

Michael J. Matsukawa
for appellants
on the motion.

¹ Pursuant to Hawai'i Rules of Appellate Procedure Rule
43(c)(1), Peter Young, the current Chairperson of the Board of
Land and Natural Resources, has been substituted for Michael D.
Wilson, the Chairperson at the time this case was decided by the
third circuit court.